

REMARKS

Claims 23-39 and 42-60 are all the claims pending in the application. Claims 44-59 have been withdrawn from consideration. Claim 23 has been amended herein to incorporate the feature of Claim 40, and Claim 40 has been canceled. Claim 29 has been rewritten in independent form, and amended to use the U.S. usage of the term “polymerizable” rather than the British usage (“polymerisable”). Claim 29 has been further amended to delete the word “optional” in connection with the definition of the group K, more specifically, the last species thereof. It is not necessary to recite the word “optional” in connection with the last species of the Markush group defining the group K in Claim 29. The last species of the Markush group that defines K is that group K, in combination with B, a valence bond. These last two amendments are not intended to alter the scope of the claim and therefore Applicants do not give up any scope of equivalents that may be appropriate.

Claim 43 has also been amended in connection with the definition of the group R⁴. Specifically, the definition of R⁴ has been amended to delete reference to the species of the Markush group optionally containing one or more carbon-carbon double or triple bonds. This amendment has been made in order to avoid the possibility of ambiguity in connection with the previous claim language and, again, Applicants do not intend to relinquish any scope of equivalents. Claim 60 has been added to recite this feature. Thus, no new matter has been added.

Applicants thank the Examiner for removing the finality of the Office Action dated June 30, 2006.

Referring to page 2 of the Office Action, Claims 23-28 and 42 have been rejected under 35 U.S.C. § 102(e) as allegedly anticipated by U.S. Patent No. 6,273,910 to Limon (“Limon”).

Without acquiescing in the rejection, Claim 23 has been amended to incorporate the feature of Claim 40 directed to a sterile kit. Claim 40 has been indicated as allowable over the prior art. See page 3 of the Office Action. Accordingly, Claims 23-28 and 42 are patentable over Limon. Thus, it is respectfully requested that the rejection of Claims 23-28 and 42 over Limon be withdrawn, and Claims 23-28 and 42 be allowed.

Referring again to page 3 of the Office Action, Claims 29-39 and 43 have also been objected to as being dependent upon a rejected base claim. The Examiner has indicated that Claims 29-39 and 43 would be allowable if rewritten in independent form.

As discussed above, Claim 29 has been rewritten in independent form. Thus, withdrawal of the rejection is respectfully requested and allowance of Claims 29-39 and 43 are believed to be in order.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Amendment Under 37 C.F.R. § 1.111
U.S. Application No. 10/018,783

Attorney Docket No Q67462

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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